

REMARKS

The application has been amended and is believed to be in condition for allowance.

Claims 1-20 have been canceled without prejudice.

New claims 21-34 replace claims 1-20 in a manner consistent with U.S. practice and preferences. Claims 21, 25, and 34 are independent. New claims 21-34 find support in the specification, the drawing figures, and the claims as originally filed; the new claims do not introduce new matter.

The specification has been amended to address minor grammatical issues and also to add section headings in accordance with U.S. practice; no new matter is introduced by way of these amendments.

The Official Action stated that the Information Disclosure Statement filed May 5, 2006 has been received, but fails to comply with 37 CFR 1.98(a)(2) requiring a legible copy of each cited foreign patent document, and therefore certain documents have not been considered. The Official Action indicated that the following foreign references were not considered by drawing a line through them: EP 1 334, 953, AT 399 144, EP 0 585 694, CH 683, 917.

In reply, it is respectfully submitted that legible copies of each of the foregoing documents was submitted to the Patent Office and is available on PAIR. Further, the submission was accompanied by an international search report, in English,

indicating the degree of relevance found by the foreign office of each reference is particularly relevant.

Under MPEP section 609.04(a), paragraph III, the requirement for a concise explanation of relevance for information not in the English language can be satisfied by submitting an English-language version of an international search report or action which indicates the degree of relevance found by the foreign office. This may be an explanation of which portion of the reference is particularly relevant, to which claims it applies, or merely an "X", "Y", or "A" indication on a search report.

Here, the International Search Report dated June 25, 2004, submitted with the IDS, indicates the relevance of the references with "X", "Y", and "A" indications.

Therefore, it is respectfully submitted that the IDS filed May 5, 2005 satisfies the requirements under 37 CFR 1.98. Consideration of the references listed in the IDS is respectfully solicited.

The Official Action objected to claims 5-13 and 16-20, stating that a comma --,-- seems to be missing after the word "gap" in claims 5 and 16-18 and should be inserted for clarity.

In reply, claims 1-20 have been canceled, as stated above. The new claims are believed to obviate the Official Action's objection.

The Official Action rejected claims 1-20 under 35 USC 112, second paragraph as being indefinite.

In reply, claims 1-20 have been canceled, as stated above. The new claims are believed to obviate the Official Action's objection.

The Official Action rejected claims 1-20 under 35 USC 103(a) as being unpatentable over European Publication 1,334,953 (hereinafter, "EP '953").

In reply, it is firstly noted that claims 1-20 are replaced with new claims 21-34.

As to claim 1, is respectfully submitted that EP '953 does not teach or suggest exerting additional pressure on both of the two opposite sides of the score line (11) exclusively in an area on the surface of the score line (11) at one end of the score line (11).

On the contrary, EP '953 teaches compressor rod borders 9 are elongated formed and run parallel to the recess 5, whereby they exhibit a length, which corresponds to 4 in for instance the length of the crushing bar (paragraph [0032]). That is, the compressor rod runs the length of the crushing bar and applies a force along the entire length of the crushing bar.

In contrast, claim 1 requires a pressure be exerted exclusively in an area at one end of the score line (11). EP '953 does not teach or suggest this.

It is therefore respectfully submitted that claim 1 is patentable over EP '953, and further respectfully submitted that claims depending from claim 1 are patentable at least for depending from a patentable claim.

It is also respectfully submitted that independent claims 25 and 34, and claims depending therefrom, are patentable over EP '953 for at least the reasons set forth above as to claim 1.

Reconsideration and withdrawal of the rejection are respectfully requested.

From the foregoing, it will be apparent that applicants have fully responded to the July 7, 2008 Official Action and that the claims as presented are patentable. In view of this, applicants respectfully request reconsideration of the claims, as presented, and their early passage to issue.

In order to expedite the prosecution of this case, it is requested that the Examiner telephone the attorney for applicants at the number set forth below if the Examiner is of the opinion that further discussion of this case would be helpful.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

/Roland E. Long, Jr./  
Roland E. Long, Jr., Reg. No. 41,949  
209 Madison Street  
Suite 500  
Alexandria, VA 22314  
Telephone (703) 521-2297  
Telefax (703) 685-0573  
(703) 979-4709

REL/jr